

DANIEL G. BOGDEN
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

DEFENDANT [1] *et al.*,

Defendants.

2:12-CR-00004-JCM-GWF

STIPULATION FOR PROTECTIVE ORDER

IT IS HEREBY STIPULATED AND AGREED between the parties, DANIEL G.

BOGDEN, United States Attorney for the District of Nevada, and Kimberly M. Frayn and Andrew W. Duncan, Assistant United States Attorneys, counsel for the United States, and Todd Leaventhal, Esq. Counsel for Alexander Kostyukov, Defendant [3]; Robert M. Draskovich, Jr., Esq. Counsel for Maceo Boozer, III, Defendant [4]; Randall J. Roske, Esq., Counsel for Edward Montecalvo Defendant [6]; Jonathan Powell, Esq., Counsel for Jermaine Smith, Defendant [9]; Kalani K. Hoo, Esq., Counsel for Qasir Mukhtar, Defendant [15]; Michael J. Miceli, Esq., Counsel for Michael Lofton, Defendant [21]; Angela H. Dows, Esq., Counsel for Shiyang Gou, Defendant [22]; John J. Momot, Jr., Esq., Counsel for Duvaughn Butler, Defendant [26]; and Bret O. Whipple, Esq. Counsel for Fredrick Thomas, Defendant [27], that this Court issue an Order

1 protecting from disclosure to the public any discovery materials or documents containing the
2 personal identifying information and financial identifying information such as, names, social
3 security numbers, drivers license numbers, dates of birth, addresses, mothers' maiden names,
4 passwords, debit card and credit card account numbers, financial lines of credit account numbers,
5 bank account numbers, and Personal Identification Numbers (PINs), of participants, witnesses and
6 victims in this case. Such materials and documents shall be referred to hereinafter as "Protected
7 Materials." The parties state as follows:

8 1. Protected Materials which may be used by the government in its case in chief
9 include personal and financial identifiers, including names, social security numbers, drivers
10 license numbers, dates of birth, addresses, mothers' maiden names, passwords, debit card and
11 credit card account numbers, financial lines of credit account numbers, bank account numbers, and
12 Personal Identification Numbers (PINs), of participants, witnesses, and victims in this case.

13 2. Discovery in this case is voluminous and many of these materials and documents
14 include personal and financial identifiers. Redacting the personal and financial identifiers of
15 participants, witnesses, and victims would prevent the timely disclosure of discovery to the
16 defendants.

17 3. The United States agrees to provide Protected Materials without redacting the
18 personal and financial identifiers of participants, witnesses, and victims

19 4. Access to Protected Materials will be restricted to persona authorized by the Court,
20 namely defendants, attorneys of record and attorneys, paralegals, investigators, experts, and
21 secretaries employed by the attorneys of record and performing on behalf of defendants.

22 5. The following restrictions will be placed on the defendants, defendants' attorneys
23 and the above-designated individuals unless and until further ordered by the Court. Defendants,
24 defendants' attorneys and the above-designated individuals shall not:

25 a. make copies for, or allow copies of any kind to be made by any other person
26 of Protected Materials;

- 1 b. allow any other person to read Protected Materials; and
2 c. use Protected Materials for any other purpose other than preparing to defend
3 against the charges in the Indictment or any further superseding indictment arising out of this case.

4 6. Defendant's attorney shall inform any person to whom disclosure may be made
5 pursuant to this order of the existence and terms of this Court's order.

6 7. The requested restrictions shall not restrict the use or introduction as evidence of
7 discovery materials and documents containing personal identifying information such as social
8 security numbers, drivers license numbers, dates of birth, and addresses during the trial of this
9 matter.

10 8. Upon conclusion of this action, defendant's attorney shall return to government
11 counsel or destroy and certify to government counsel the destruction of all discovery materials and
12 documents containing personal identifying information and financial identifying information such
13 as, names, social security numbers, drivers license numbers, dates of birth, addresses, mothers'
14 maiden names, passwords, debit card and credit card account numbers, financial lines of credit
15 account numbers, bank account numbers, and Personal Identification Numbers (PINs) social
16 security numbers, drivers license numbers, dates of birth, and addresses within a reasonable time,
17 not to exceed thirty days after the last appeal is final.

18 DANIEL G. BOGDEN
19 United States Attorney

20 /s/ Kimberly M. Frayn
21 KIMBERLY M. FRAYN
22 ANDREW W. DUNCAN
Assistant United States Attorneys

4/19/12
DATE

23 /s/ Todd Leaventhal, Esq.
24 Todd Leaventhal, Esq.
Counsel for Alexander Kostyukov, Defendant [3]

4/19/12
DATE

25 /s/Robert M. Draskovich, Jr., Esq.
26 Robert M. Draskovich, Jr., Esq.
Counsel for Maceo Boozer, III, Defendant [4]

4/19/12
DATE

1 /s/ Randall J. Roske, Esq. 4/19/12
Randall J. Roske, Esq., DATE
2 Counsel for Edward Montecalvo Defendant [6]

3 /s/ Jonathan Powell, Esq. 4/19/12
Jonathan Powell, Esq., DATE
4 Counsel for Jermaine Smith, Defendant [9]
5

6 /s/Kalani K. Hoo, Esq. 4/19/12
Kalani K. Hoo, Esq., DATE
7 Counsel for Qasir Mukhtar, Defendant [15]

8 /s/ Michael J. Miceli, Esq. 4/19/12
Michael J. Miceli, Esq., DATE
9 Counsel for Michael Lofton, Defendant [21]
10

11 /s/ Angela H. Dows, Esq. 4/19/12
Angela H. Dows, Esq., DATE
12 Counsel for Shiyang Gou, Defendant [22]

13 /s/ John J. Momot, Jr., Esq. 4/19/12
John J. Momot, Jr., Esq., DATE
14 Counsel for Duvaughn Butler Defendant [26]
15

16 /s/ Bret O. Whipple, Esq. 4/19/12
Bret O. Whipple, Esq., DATE
17 Counsel for Fredrick Thomas, Defendant [27]
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19
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ORDER

21 IT IS SO ORDERED this 24th day of April 2012.
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24 UNITED STATES MAGISTRATE JUDGE
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